The Davis-Stirling Act and Homeowner Rights to Association Contact Information

The Davis-Stirling Common Interest Development Act, is the primary law governing homeowners associations in California. Originally enacted by the California State Legislature in September 1985 and comprehensively reorganized and recodified as of January 1, 2014, the Act governs condominium, cooperative, and planned unit development communities throughout the state. Its intention is to provide safeguards for members within community associations and to allow for self-governance by an elected board. The Act governs nearly every major aspect of HOA life, including elections, board meetings, fines, records requests, assessments, dispute resolution, and enforcement of governing documents — and it gives homeowners the legal tools to challenge board abuse, including records demands, open meeting rights, election challenges, due process objections, and court remedies.

Source: https://en.wikipedia.org/wiki/Davis%E2%80%93Stirling_Common_Interest_Development_Act

Source: https://www.lawforhoas.com/davis-stirling-act-2

This paragraph above and the summary of the act after our last paragraph below, in our opinion, is required reading and absorption for an HOA director. But two Laurel Bay directors, after making charges of unethical and "cowardly" behavior of a member of our group responded that they are "only volunteers" and "not attorneys." These texts were in reaction to our group's rightful postal mailing to all owners of Laurel Bay, a right that has existed for over a decade.

Among the most important rights the Act establishes is the right of any member to access association records. A residential association must make its accounting books, minutes of proceedings, and records available for inspection and copying by a requesting member or the member's designated representative under Civil Code §5205. Once requested, access to the records must be given within 10 business days under Civil Code §5210. The membership list — including the name, property address, mailing address, and email address of every owner — is expressly included in the definition of association records under Civil Code §5200(a)(9), subject only to the right of individual members to opt out of disclosure under Civil Code §5220.

Source: https://schorr-law.com/davis-stirling-act-hoa/

Organizing fellow owners to participate in a board election, communicating about a proposed governance change such as a rental cap, or coordinating opposition to board actions all qualify as proper purposes under this standard. HOAs that ignore properly made Civil Code §5200 requests face steep statutory penalties and the prospect of paying the homeowner's attorney's fees. Specifically, Civil Code §5235 authorizes a civil penalty of up to $500 per improperly denied request, plus recovery of reasonable attorney's fees and costs. Any committee of homeowners organized around a legitimate governance concern has a clear, enforceable statutory right to the contact information of every owner in the community, and the association has no discretion to withhold it based on disagreement with the requesting members' views or objectives.

Source: https://mbkchapman.com/davis-stirling-act-california-fact-sheet/